

CONTRACT REQUEST FORM (CRF)

CEC-94 (Revised 11/10)

CALIFORNIA ENERGY COMMISSION



☐ New Contract - - ☒ Amendment to Existing Contract: 400-09-021 Amendment Number: 1

Division	Contract Manager:	MS-	Phone	CM Training Date
400 Efficiency Renewable Energy Division	Samuel Lerman	26	916-651-3705	7/26/10

Contractor's Legal Name	Federal ID Number
Association of Bay Area Governments	94-2832478

Title of Project
Retrofit Bay Area

Term	Start Date	End Date	Amount
New/Original Contract	09 / 14 / 10	03 / 31 / 12	\$ 10,750,000

Line up the Amendment information as best as possible in the following boxes

Amendment #	End Date (mm/dd/yy)	Amount
1	03/31/12	10,750,000

Business Meeting Information			
Proposed Business Meeting Date	1/26/11	<input type="checkbox"/> Consent	<input checked="" type="checkbox"/> Discussion
Business Meeting Presenter	Samuel Lerman	Time Needed:	5 minutes

Agenda Item Subject and Description
Possible approval of Amendment #1 for contract #400-09-021 with the Association of Bay Area Governments (ABAG). This request is for reallocation of funds among various tasks and the addition of new personnel in order for ABAG to implement their program more effectively. The amendment will not increase the total amount of the contract or extend the contract period.

Business Meeting approval is not required for the following types of contracts: <i>Executive Director's signature is required in all cases.</i>
<input type="checkbox"/> Contracts less than \$10k (<i>Policy Committee's signature is also required</i>)
<input type="checkbox"/> Amendment for a no-cost time extension. Must be first extension, less than one year and original contract less than \$100k.
<input type="checkbox"/> Contracts less than \$25k for Expert Witness in Energy Facility licensing cases and amendments.

Purpose of Contract or Purpose of Amendment, if applicable
This request is for reallocation of funds among various tasks and the addition of new personnel in order for ABAG to implement their program more effectively. The amendment will not increase the total amount of the contract or extend the contract period.

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**California Environmental Quality Act (CEQA) Compliance**

1. Is Contract considered a "Project" under CEQA?

☒ Yes: skip to question 2☐ No: complete the following (PRC 21065 and 14 CCR 15378):

Explain why contract is not considered a "Project":

Contract will not cause direct physical change in the environment or a reasonably foreseeable indirect physical change in the environment because _____.

2. If contract is considered a "Project" under CEQA:

☒ a) Contract **IS** exempt. (Draft NOE required)☐ Statutory Exemption. List PRC and/or CCR section number: _____
☒ Categorical Exemption. List CCR section number: Section 15301 (repair and minor alteration of existing public or private structures)
 Section 15302 (replacement or reconstruction of existing structure)
 Section 15306 (information collection)
 Section 15308 (action to protect the environment)
 Section 15309 (inspections)
 Section 15322 (education or training)
☒ Common Sense Exemption. 14 CCR 15061 (b) (3)

Explain reason why contract is exempt under the above section:

Contract will not cause a direct physical change in the environment or a reasonably foreseeable indirect physical change in the environment because the work involves primarily home energy audits/ratings and energy efficiency upgrade improvements for residential and multi-family buildings.

☐ b) Contract **IS NOT** exempt. The Contract Manager needs to consult with the Energy Commission attorney assigned to their division and the Siting Office regarding a possible Initial Study.**Budgets Information**

Contract Amount Funded		Breakdown by FY			Funding Sources			
Funding Source	Amount	FY	Amount	Approved ?	Funding Source	FY	Budget List No.	Amount
ARFVTF	\$		\$	No	Funding Source			\$
ECAA	\$		\$	No	Funding Source			\$
State- ERPA	\$		\$	No	Funding Source			\$
Federal	\$10,750,000	09-10	\$10,750,000	Yes	Federal	09-10		\$10,750,000
PIER - E	\$		\$	No	Funding Source			\$
PIER - NG	\$		\$	No	Funding Source			\$
Reimbursement	\$		\$	No	Funding Source			\$
Other	\$		\$	No	Funding Source			\$
TOTAL: \$10,750,000		TOTAL:	\$10,750,000		TOTAL: \$10,750,000			
Reimbursement Contract #:					Federal Agreement #: JE-EE0000221			

Contractor's Administrator/ Officer

Name: Gerald Lahr
 Address: 101 8th Street
 City, State, Zip: Oakland, CA 94607
 Phone/ Fax: (510) 464-7908
 E-Mail: JerryL@abag.ca.gov

Contractor's Project Manager

Name: Gerald Lahr
 Address: 101 8th Street
 City, State, Zip: Oakland, CA 94607
 Phone/ Fax: (510) 464-7908
 E-Mail: JerryL@abag.ca.gov

Contractor Is☐ Private Company (including non-profits)☐ CA State Agency (including UC and CSU)☒ Government Entity (i.e. city, county, federal government, air/water/school district, joint power authorities, university from another state)**Selection Process Used**☒ Solicitation

RFP

Solicitation #: 400-09-403

☐ Non Competitive Bid (Attach CEC 96)☐ Exempt

Select Exemption (see instructions)

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**Civil Service Considerations**

- ☐ Not Applicable (Contract is with a CA State Entity or a membership/co-sponsorship)
- ☐ Public Resources Code 25620, et seq., authorizes the Commission to contract for the subject work. (PIER)
- ☒ The Services Contracted:
- ☒ are not available within civil service
 - ☒ cannot be performed satisfactorily by civil service employees
 - ☒ are of such a highly specialized or technical nature that the expert knowledge, expertise, and ability are not available through the civil service system.
- ☐ The Services are of such an:
- ☐ urgent
 - ☐ temporary, or
 - ☐ occasional nature
- that the delay to implement under civil service would frustrate their very purpose.

Justification:**Payment Method**

- ☒ A. Reimbursement in arrears based on:
- ☒ Itemized Monthly ☐ Itemized Quarterly ☐ Flat Rate ☐ One-time
- ☐ B. Advanced Payment
- ☐ C. Other, explain:

Retention

1. Is contract subject to retention? ☐ No ☒ Yes
- If Yes, Do you plan to release retention prior to contract termination? ☒ No ☐ Yes

Justification of Rates

ABAG is a joint powers authority and therefore a local government agency. All employees are local governmental employees. Compensation is determined by civil service classifications.

Disabled Veteran Business Enterprise Program (DVBE)

1. ☒ Not Applicable
2. ☐ Meets DVBE Requirements DVBE Amount:\$ _____ DVBE %: _____
- ☐ Contractor is Certified DVBE
 - ☐ Contractor is Subcontracting with a DVBE: _____
3. ☐ Requesting DVBE Exemption (attach CEC 95)

Is Contractor a certified Small Business (SB), Micro Business (MB) or DVBE?

☒ No ☐ Yes

If yes, check appropriate box: ☐ SB ☐ MB ☐ DVBE

Is Contractor subcontracting any services?

☐ No ☒ Yes

If yes, give company name and identify if they are a Small Business (SB), Micro Business (MB) and/or DVBE:

See approved agreement for a list of all subcontractors	<input checked="" type="checkbox"/> No	<input type="checkbox"/> SB	<input type="checkbox"/> MB	<input type="checkbox"/> DVBE
	<input checked="" type="checkbox"/> No	<input type="checkbox"/> SB	<input type="checkbox"/> MB	<input type="checkbox"/> DVBE
	<input checked="" type="checkbox"/> No	<input type="checkbox"/> SB	<input type="checkbox"/> MB	<input type="checkbox"/> DVBE

Miscellaneous Contract Information

1. Will there be Work Authorizations? ☒ No ☐ Yes
2. Will there be IT expenditures? ☐ No ☒ Yes
3. Is the Contractor providing confidential information? ☒ No ☐ Yes
4. Is the contractor going to purchase equipment? ☐ No ☒ Yes
5. Check frequency of progress reports
- ☒ Monthly ☐ Quarterly ☐ Other...
6. Will a final report be required? ☐ No ☒ Yes
7. Is the contract, with amendments, longer than a year? If yes, why? ☐ No ☒ Yes
- Funding for ARRA SEP Agreements ends on March 31, 2012.

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**The following items should be attached to this CRF**

1. Scope of Work, Attach as Exhibit A.	<input type="checkbox"/> N/A	<input type="checkbox"/> Attached
2. Budget Detail, Attach as Exhibit B.	<input type="checkbox"/> N/A	<input checked="" type="checkbox"/> Attached
3. CEC 96, NCB Request	<input type="checkbox"/> N/A	<input type="checkbox"/> Attached
4. CEC 30, Survey of Prior Work	<input type="checkbox"/> N/A	<input type="checkbox"/> Attached
5. CEC 95, DVBE Exemption Request	<input type="checkbox"/> N/A	<input type="checkbox"/> Attached
6. Draft CEQA Notice of Exemption (NOE)	<input type="checkbox"/> N/A	<input type="checkbox"/> Attached
7. Resumes	<input type="checkbox"/> N/A	<input type="checkbox"/> Attached

Contract Manager_____
Date_____
Office Manager_____
Date_____
Deputy Director_____
Date

The following signatures are only required when contract approval is delegated to the Executive Office and not approved at a Business Meeting.
See Business Meeting Information Section.

Presiding Policy Committee_____
Date_____
Associate Policy Committee_____
Date_____
Executive Director_____
Date